

CTB INC.,)	
)	
Plaintiff(s),)	
)	
v.)	CAUSE NO. 3:09CV375 JVB
)	
MARTING MFG OF IOWA INC.)	
)	
Defendant(s).)	

ORDER

In accordance with Rule 16 of the Federal Rules of Civil Procedure, this cause is now set for a **Rule 16 Preliminary Pretrial Conference** before Magistrate Judge Christopher A. Nuechterlein to be held on **January 26, 2010 at 10:30 AM (E.S.T.)** in Room 201, Robert A. Grant Courthouse, 204 S. Main Street, South Bend, Indiana. Trial Counsel are required to attend this conference.

Counsel shall indicate whether their clients are willing to consent to transfer this case to a Magistrate Judge for all purposes, including trial, by either executing and submitting the attached consent form or orally inform the court at the Rule 16 Preliminary Pretrial Conference to consent.

At the conference, counsel shall be prepared to address the following:

1. A proposed Discovery Plan under Fed. R. Civ. P. 26(f) to be filed no later than **January 11, 2010**. Counsel are directed to the Court's website for a suitable form of report and discovery plan ("Report of the Parties Planning Meeting"). At the conference, the Court will address those topics listed at Fed. R. Civ. P. 16(b) and (c). Failure to timely file the report and proposed discovery plan may result in the imposition of sanctions in accordance with Fed. R. Civ. P. 16(f). At the conference, it is anticipated that the Court will approve or modify the Report of Parties' Planning Meeting.

2. Consideration of the various forms of Alternative Dispute Resolution ("ADR") available¹ to include mediation. If mediation is selected, the parties shall identify the mediator and in the event counsel cannot agree on a mediator, then the Court will make the selection. Counsel may review the list of mediators located on the Court's website at *innd.uscourts.gov*, under *Info/Forms*, prior to the preliminary pretrial conference.

If counsel is outside of St. Joseph County, you may appear telephonically by filing a motion electronically. Counsel must also file a proposed order. The order should be in Word

¹The attention of counsel is specifically directed to the Court's ADR Pamphlet (1/96) located at the Court's website.

SO ORDERED.

Dated December 15, 2009.

s/Christopher A. Nuechterlein
Christopher A. Nuechterlein
United States Magistrate Judge